

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 00-6343-CR-ZLOCH/SELTZER

UNITED STATES OF AMERICA

Plaintiff,

v.

RICKY MOTEN,

Defendant.

GOVERNMENT'S RESPONSE TO
THE STANDING DISCOVERY ORDER

The United States of America, in response to the Standing
Discovery Order issued in this case, states as follows:

A. 1. The government is unaware of any written or recorded
statements made by the defendant.

2. The defendant made oral statements after arrest in
response to interrogation by a person then known to be a government
agent. That portion of the report containing the defendant's post-
arrest statements is attached. The defendant's personal history is
also attached.

3. The defendant did not testify before the grand jury.

4. The defendant's criminal history is attached.

5. Books, papers, documents, photographs, tangible
objects, buildings or places which the government intends to use as
evidence at trial to prove its case in chief, or were obtained from
or belonging to the defendants, may be inspected and copied by
making an appointment with the undersigned. Some items are

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attached. An inventory of those items is attached.

6. Laboratory analysis reports regarding the cocaine, "crack" cocaine and marijuana seized in connection with this case are attached.

B. The United States requests the discovery and production of those items described and listed in paragraph B of the Standing Discovery Order, and as provided by Federal Rule of Criminal Procedure 16(b).

C. The United States is unaware of any information or material which may be favorable to the defendant on the issues of guilt or punishment within the scope of Brady v. Maryland, 373 U.S. 83 (1963) or United States v. Agurs, 427 U.S. 97 (1976).

D. There have been no payments, promises of immunity, leniency, or preferential treatment, made to prospective government witnesses, other than the attached cooperation plea agreements, within the scope of United States v. Giglio, 405 U.S. 150 (1972) and Napue v. Illinois, 360 U.S. 264 (1959).

E. The government will disclose any prior convictions of any alleged co-conspirator or accomplice who will testify for the government at trial.

F. The defendant was identified in a photo spread or similar identification procedure.

G. The government agents and officers involved in this case have been advised to preserve all rough notes they may have taken.

H. Any evidence made available for inspection may be offered in the government's case in chief under Federal Rule of Evidence 404(b) or otherwise.

I. The defendant is not an aggrieved person as defined in Title 18, United States Code, Section 2510(11), that is, the defendant was not a party to any intercepted wire or oral communication or persons against whom the interception was directed.

J. The United States has ordered transcripts of the grand jury testimony of all witnesses who will testify for the government at the trial of this case. The transcripts will be provided as required by Title 18, United States Code, Section 3500.

K. The cocaine, "crack" cocaine and marijuana involved in this case is currently located at the Drug Enforcement

INVENTORY OF ATTACHED ITEMS

Defendant's personal history report	1 page
Report of defendant's post-arrest statement	1 page
DEA 7 reports	2 pages
Documents seized from Yvette Jenkins	11 pages
Documents seized from Cadia Gritton	57 pages
Indictment of Yvette Jenkins	1 page
Judgment and Commitment of Yvette Jenkins	8 pages
Plea Agreement of Yvette Jenkins	6 pages
Proffer Letter of Yvette Jenkins	3 pages
Information of Cadia Gritton (00-6288-CR-ROETTGER)	1 page
Plea agreement of Cadia Gritton (00-604-CR-SEITZ)	6 pages
Indictment of Cadia Gritton 00-604-CR-SEITZ)	3 pages
DEA 7a reports	5 pages
Photographic line up (N-5)	1 page
Photographic line up (N-6)	1 page
Photographic line up (N-7)	1 page
Photographic line up (N-8)	1 page
Photographic line up (N-9)	1 page
Photographic line up (N-10)	1 page
Photograph (N-11)	1 page
Documents seized from person of Mosi Grant (N-12)	7 pages
Driver's license seized from Lindon Johnson (N-14)	1 page
Assorted documents seized from Lindon Johnson (N-15)	6 pages
Address book seized from Lindon Johnson (N-16)	16 pages
Business card and phone card seized from Lindon Johnson	1 page
Defendant's criminal history	2 pages

Administration Southeast laboratory in Miami, Florida. The United States will, upon request, deliver to a chemist selected by the defense, who is presently registered with the Attorney General in compliance with Title 21, United States Code, Sections 822 and 823, and 21 C.F.R. Section 101.22(8), a sufficient representative sample of any alleged controlled substance which is the subject of this indictment, to allow independent chemical analysis of such sample.

L. There were no automobiles, vessels or aircraft used in the commission of the alleged offenses, which were seized by the government.

M. Latent fingerprints have not been recovered in this case.

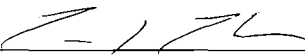
N. To date, the government has not received a request for disclosure of the subject-matter of expert testimony that the government reasonably expects to offer at trial.

O. The government will make every possible effort in good faith to stipulate to all facts or points of law the truth and existence of which is not contested and the early resolution of which will expedite trial.

Respectfully submitted,

GUY A. LEWIS
UNITED STATES ATTORNEY

By:


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CERTIFICATE OF SERVICE

I hereby certify that a copy of this Government's Response to Standing Discovery Order was served by this 19th day of January, 2001, upon: Ana Maria Jhones, Esquire, 330 Biscayne Blvd., Miami, Florida 33132-2255.



TERRENCE J. THOMPSON
ASSISTANT UNITED STATES ATTORNEY